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13 United States of America

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9
10 UNITED STATES DISTRICT COURT

11 SOUTHERN DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA,) Case No. 08CR0537-IEG
13)
14 Plaintiff,) UNITED STATES' MOTION TO
15 v.) DISMISS INDICTMENT
16) WITHOUT PREJUDICE
17 FRANCISCO JAVIER)
18 GARCIA-MARQUEZ,)
19 Defendant.)
20 _____)

21 COMES NOW, the plaintiff, UNITED STATES OF AMERICA, by and
22 through its counsel, Karen P. Hewitt, United States Attorney and
23 Nicole Acton Jones, Assistant United States Attorney, and hereby moves
24 to dismiss without prejudice the indictment against defendant
25 Francisco Javier Garcia-Marquez.

26 DATED: April 3, 2008.
27

28
Respectfully submitted,
KAREN P. HEWITT
United States Attorney

29
s/Nicole Acton Jones
30 NICOLE ACTON JONES
31 Assistant U.S. Attorney
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) Case No. 08CR0537-IEG
)
Plaintiff,)
)
v.)
)
FRANCISCO JAVIER) CERTIFICATE OF SERVICE
GARCIA-MARQUEZ,)
)
Defendant.)

IT IS HEREBY CERTIFIED THAT:

I, Nicole Acton Jones, am a citizen of the United States and am at least eighteen years of age. My business address is 880 Front Street, Room 6293, San Diego, California 92101-8893.

12 I am not a party to the above-entitled action. I have caused
13 service of United States' **Motion to Dismiss Indictment Without**
Prejudice on the following parties by electronically filing the
14 foregoing with the Clerk of the District Court using its ECF System,
which electronically notifies them.

15 || Erick Guzman, Federal Defenders

16 I hereby certify that I have caused to be mailed the foregoing,
17 by the United States Postal Service, to the following non-ECF
participants on this case:

18 || None

19 the last known address, at which place there is delivery service of mail from the United States Postal Service.

I declare under penalty of perjury that the foregoing is true and
correct.

22 || Executed on April 3, 2008.

s/Nicole Acton Jones
NICOLE ACTON JONES
E-mail: nicole.jones@usdoj.gov